

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

RICKY HUBBARD,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

No. 25cv3596 (EP)

MEMORANDUM ORDER

Pro se Petitioner Ricky Hubbard (“Hubbard”), a prisoner confined in the United States Penitentiary McCreary (“USP McCreary”) in Pine Knot, Kentucky, has filed a motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255 *in re* Crim No. 20-cr-407. D.E. 1 (“Section 2255 Motion”).

In the District of New Jersey, the contents and form of a Section 2255 Motion are governed by Local Civil Rule 81.2(a), which provides that “[u]nless prepared by counsel, . . . motions under 28 U.S.C. § 2255 shall be in writing (legibly handwritten in ink or typewritten), signed by the petitioner or movant, *on forms supplied by the Clerk*” (emphasis added). Hubbard’s Section 2255 Motion was not submitted on the forms supplied by the District of New Jersey Clerk of Court and therefore does not comply with Local Civil Rule 81.2(a).¹

Accordingly, the Clerk of Court shall (1) **ADMINISTRATIVELY TERMINATE** the Section 2255 Motion and (2) **CLOSE** this matter. Hubbard shall return the completed form to the

¹ Importantly, Hubbard’s acknowledgment of the notice required by *United States v. Miller*, 197 F.3d 644, 652 (3d Cir. 1999)—that he has been notified of the consequences of not including in his motion all the grounds for relief from the conviction or sentence he challenges—is missing from his Section 2255 Motion. This acknowledgement can be found on page 15 of this Court’s form. See AO 243 (modified): DNJ-Habeas-004(Rev.01-2014)), available at <https://www.njd.uscourts.gov/sites/njd/files/forms/modify%20sentence%20in%20custody.pdf>.

Court within 45 days of this Order, upon which the Court will direct the Clerk of Court to reopen this matter. Accordingly,

IT IS, on this 24th day of June 2025,

ORDERED that the Clerk of Court shall **ADMINISTRATIVELY TERMINATE** D.E. 1; and it is further

ORDERED that the Clerk of Court shall **CLOSE** this matter; and it is further

ORDERED that the Clerk of Court shall send Hubbard a copy of this Order by regular mail; and it is further

ORDERED that the Clerk of Court shall send Hubbard a copy of this Court's blank Section 2255 Motion form, AO 243 (modified): DNJ-Habeas-004(Rev.01-2014), available at <https://www.njd.uscourts.gov/sites/njd/files/forms/modify%20sentence%20in%20custody.pdf>, by regular mail; and it is finally

ORDERED that Hubbard shall return this Court's completed Section 2255 Motion form to the Court within 45 days of this Order, upon which the Court will direct the Clerk of Court to reopen this matter.



Evelyn Padin, U.S.D.J.